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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,701	03/18/2004	Robert Carvelli	1209-57	7812

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EXAMINER	
TRAN, QUOC DUC	

ART UNIT	PAPER NUMBER
2614	

DATE MAILED: 06/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Offic Action Summary	Applicati n No.	Applicant(s)	
	10/803,701	CARVELLI ET AL.	
	Examiner	Art Unit	
	Quoc D. Tran	2614	

-- The MAILING DATE of this communicati n app ars on the cov r sheet with the correspondence address --

Peri d f r Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *23 March 2006*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-10 and 12-14* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,3-10 and 12-14* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 1, 3-6, 10 and 12-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al (6,931,110) in view of Schier et al (6,233,316).

Consider claim 1, Bates et al teach a method for placing a telephone call from a caller using a prepaid phone card, the method comprising the steps of: connecting a caller with a caller interface having a speech recognition application; receiving voice input from said caller in the form of phone card information spoken by said caller (col. 3 lines 24-61); comparing said voice input from said caller with personalized prepaid phone card information previously stored in a database (col. 4 lines 3-11); and placing a requested telephone call if said voice input from said caller matches said personalized prepaid phone card information stored in said database (col. 4 lines 13-45).

Bates et al did not clearly suggest of receiving voice input from the caller in the form of a personal identification number (PIN) and converting the spoken PIN into computer readable text for comparing with a PIN assigned to the caller that is previous stored in a database. However, Schier et al teach a voice enhanced phone card that enable a user to place a call using voice activated dialing (see abstract). The system further enables the user to enter (i.e., input) calling

card number and associated passcode (i.e., PIN) by voice. Upon receiving calling card and passcode (PIN), the system validate the received information to determine whether the call should be allowed (see col. 6 lines 35-51). It should be noted that the received calling card number and passcode must inherently converted into computer readable information in order for the validation platform to performs the card validation.

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Schier et al into view of Bates et al in order to provide user with more option in making calls as well as providing safety to users that are behind the wheel.

Consider claim 3, Bates et al teach the method further comprising the step of retrieving a telephone number stored in said database if a voice input from said caller matches a telephone number identifier assigned to said telephone number (col. 4 lines 13-18).

Consider claim 4, Schier et al teach the method further comprising the step of voice prompting said caller to verbally provide said PIN (col. 6 lines 37-40).

Consider claim 5, Schier et al teach wherein said caller initially dials a telephone network access number to connect to said caller interface (col. 2 lines 42-45).

Consider claim 6, Bates et al teach wherein said caller interface identifies said caller based on the origination of said initial telephone call (col. 3 lines 29-40).

Consider claim 10, Bates et al teach a telecommunication system for placing telephone calls from callers using a prepaid phone card, the system comprising: a database for storing a caller's personalized prepaid phone card information (col. 2 lines 35-41); and a caller interface having a speech recognition application for receiving voice input from said caller and comparing

said voice input with said personalized prepaid phone card information stored in said database (col. 2 lines 63-65; col. 3 lines 14-23), wherein said caller interface is further adapted to place a requested telephone call if said voice input from said caller matches said personalized prepaid phone card information stored in said database (col. 4 lines 13-45).

Bates et al did not clearly suggest of receiving voice input from the caller in the form of a personal identification number (PIN) and converting the spoken PIN into computer readable text for comparing with a PIN assigned to the caller that is previous stored in a database. However, Schier et al teach a voice enhanced phone card that enable a user to place a call using voice activated dialing (see abstract). The system further enables the user to enter (i.e., input) calling card number and associated passcode (i.e., PIN) by voice. Upon receiving calling card and passcode (PIN), the system validate the received information to determine whether the call should be allowed (see col. 6 lines 35-51). It should be noted that the received calling card number and passcode must inherently converted into computer readable information in order for the validation platform to performs the card validation.

Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Schier et al into view of Bates et al in order to provide user with more option in making calls as well as providing safety to users that are behind the wheel.

Consider claim 12, Bates et al teach wherein said database is adapted to store at least one telephone number and at least one telephone number identifier assigned to said at least one telephone number (col. 3 lines 14-23), and said caller interface speech recognition application is adapted to receive voice input from said caller in the form of a telephone number identifier

spoken by said caller and is adapted to retrieve said at least one telephone number if said spoken telephone number identifier matches said telephone number identifier assigned to said at least one telephone number (col. 4 lines 13-18).

Consider claim 13, Schier et al teach wherein said caller interface speech recognition application is adapted to voice prompt said caller to verbally provide said PIN voice input (col. 6 lines 37-40).

3. Claims 7-9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates et al (6,931,110) in view of Schier et al (6,233,316) and further in view of Nelson (6,529,593).

Consider claims 7 and 14, Bates et al did not suggest wherein said database is accessible by said caller via the internet for storing and modifying said personalized prepaid phone card information. However, Nelson suggested such (col. 6 lines 52-55). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to utilize the teaching of Nelson of accessing the user account via the Internet in order to provide user with a more friendly user interface for better manage of the account.

Consider claim 8, Nelson teaches the method further comprising the step of providing said caller with an option to purchase additional prepaid time for said phone card via the internet (col. 6 lines 55-57).

Consider claim 9, Bates et al teach the method further comprising the step of providing said caller with an option to store a personalized phonebook in said database via the internet, said phonebook containing a plurality of telephone numbers and associated telephone identifiers (col. 3 lines 16-23).

Response to Arguments

4. Applicant's arguments with respect to claims 1, 3-10 and 12-14 have been considered but are moot in view of the new ground(s) of rejection.

Important Notice

5. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to ***Group Art Unit 2614***.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any response to this action should be mailed to:

Mail Stop ____(explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:

(571) 273-8300

Hand-delivered responses should be brought to:
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and Friday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

QUOC TRAN
PRIMARY EXAMINER
AU 2643
June 1, 2006